IN RE: PETTTTON FOR ZONTNG VARIANCE \* NW/S Placed Woods Court, 172 ft.

NW/S Placid Woods Court, 172 f SW of c/l Placid Avenue 6 Placid Woods Court

9th Election District 6th Councilmanic District

Placid Woods, LLC

Petitioner

BEFORE THE

ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

Case No. 97-217-A

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Potition for Variance for the property known as No. 6 Placid Woods Court in the subdivision known as Placid Woods in Carney. The Petition is filed by Placid Woods LLC, property owner. Variance relief is requested from Section 1801.2.C.1.B. of the Baltimore County Zoning Regulations (BCZR) to permit a building to lot line distance (rear setback) of 12 ft. in lieu of the required 30 ft. The subject property and requested relief is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was George McCubbin from W. Duvall and Associates, Inc., the engineers who prepared the site plan. The Petitioner was represented by Newton A. Williams, Esquire. There were no Protestants or other interested persons present.

Uncontradicted testimony and evidence presented was that the subject property is known as lot No. 18 (No. 6 Placid Woods Court). The lot is part of the residential subdivision known as Placid Woods, a community of approximately 20 single family houses. The subdivision was recently approved through the development review process of Baltimore County and actual construction has commenced. Several of the lots have been improved and sold and are now occupied. Other lots, including the subject property, remain unimproved.

Mr. McCubbin indicated that after approval of the subdivision, it was discovered that a variance was necessary for the subject lot. It was noted that this lot was unique in character. Specifically, the lot is located immediately adjacent to a 90 degree bend in Placid Woods Court. This location and the configuration of the front property line requires that the building envelope be angled so as to face the roadway. In order to maintain the required front yard setback and present an appropriate building envelope, the requested variance is necessary. It was observed that if strict adherence to the rear yard setback requirement was required, an area unsuitable for construction would result.

Based upon the testimony and evidence all of which is uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, it is clear that the property's configuration and location is unique and that variance relief is, therefore justified. Moreover, owing to the location of the storm water management facility to the rear of the property it is certain that there will be no detrimental impact on adjacent parcels if variance relief were granted. Lastly, the Petitioner would suffer a practical difficulty if variance relief was denied. Specifically, the lot would be unbuildable because of the reduced building envelope. For all of these reasons, the requested variance shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of December, 1996 that a variance from Section 1801.2.C.1.B. of the Baltimore County Zoning Regulations (BCZR) to permit a building to lot line distance (rear setBack) of 12 ft., in lieu of the

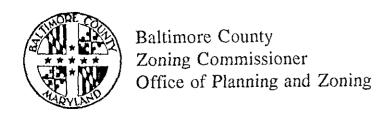
required 30 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES/mmn



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

December 18, 1996

Newton A. Williams, Esquire Nolan, Plumhoff and Williams 502 Washington Avenue Nottingham Center, Suite 700 Towson, Maryland 21204

RE: Case No. 97-217-A

Petition for Zoning Variance Property: #6 Placid Woods Court

Dear Mr. Williams:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn



# Petition for Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at #6 Placid Woods Court

which is presently zoned

DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attachment "A"

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To Be Discussed At Hearing and as on Attachment "A"

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

1	· · · · · · · · · · · · · · · · · · ·
•	/ I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	Placid Woods, LLC.
(Type or Print Name)	(Type or Print Name)
	Kink Salar Manage
Signature	Signatur BY: Kirk A. Salvo
Address	(Type or Print Name)
City State Zipcode	Signature
Attorney for Petitioner	
Nolan, Plumhoff & Williams	14 Back River Neck Rd. (410)-687-2100
(Type or Print Name)	Address Phone No
Newton Williams	Baltimore MD 21221
Signature	City State 7ipcode Name, Address and phone number of representative to be contacted.
502 Washington Avenue	W. Duvall & Associates, Inc.
Suite 700 Nottingham Center 7856	
Address Phone No.	Name
Towson MD 21204	530 E. Joppa Rd. (410)-583-9571
City State Zipcode	Address Phone No
Adulta.	OFFICE USE ONLY
, stille &	ESTIMATED LENGTH OF HEARING  unavailable for Hearing
	the following dates Next Two Months
Printed with Soybean Ink	ALLOTHER
C/ On Hecycled Paper	REVIEWED BY: TOVA DATE (1.15.96
MICROFILMED.	English Committee Committe
MICHOLIC	`d\/

# ATTACHMENT "A" ZONING VARIANCE REQUEST #6 PLACID WOODS COURT

#### Lot #18 - #6 Placid Woods Court

Variance from Section 1801.2.C.1.b to permit a building to Lot Line distance (rear setback) of 12 feet in lieu of the required 30 feet distance.

#### Reasons:

Lot is unique in that it is on a curve. Buyer is requesting house to be oriented toward Placid Woods Court. Variance would allow for same style house and continunity with other houses in the subdivision. Orientation of the house as proposed will allow the rear of the house to face the Stormwater Management area and other rear yards in lieu of facing the side of adjacent buildings. Will foster the health, safety and welfare of the surrounding community.

### W. DUVALL & ASSOCIATES, INC.

#### Engineers • Surveyors • Land Planners

November 12, 1996

ZONING DESCRIPTION FOR #6 PLACID WOODS COURT

Beginning for the same at a point on the northwest side of Placid Woods Court which is 50 feet wide at the distance of 172 feet southwesterly of the centerline of the nearest improved intersecting street, Placid Avenue, which is 40 feet wide.

Being Lot #18 in the subdivision of Placid Woods as recorded in Baltimore County Plat Book S.M. 67, Folio 117, containing 0.1727 acres. Also known as #6 Placid Woods Court and located in the 9th Election District, 6th Councilmanic District.

Ball Well St. John D.

11-12-96

MISCELLANEOUS CA	7/	-	
DATE //	ACCOUNT	Le contra	
	AMOUNT \$		
RECEIVED FROM:	Carrie Diego		
FOR:	Cha.		3.37
1.14		2 1	
	*	` '	Ser

# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Acom 106 of the County Office Building, 111 W. Chesapaske Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

6th Councilmanic Legal Owner(s):
Planid Woods, LLC
Variance: to permit a building to lot line distance (rear setback) of 12 feet in lieu of the required 30 feet distance.
Hearing: Tuesday, December 17, 1996 at 200 p.m. in Am. Case: #97-217-A
(ftem 217)
6 Placid Woods Court
NW/S Placid Woods Court,
172' SW of c/l Placid Avenue 9th Election District 118, Old Courthouse.

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-355.
(2) For information concerning the Rie and/or Hearing. LAWRENCE E SCHMIDT

11/298 Nov. 28 C102829 Please Call 887-3391.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

weeks, the first publication appearing on \_\_ in Towson, Baltimore County, Md., once in each of published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was Day 28, 1986. \_successive

THE JEFFERSONIAN,

LEGAL AD. - TOWSON



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### . PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:	
Item No.: 27	
Petitioner: PLACID WOODS LLC	
Location: #6 PLACID WOODS COURT	
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: W. DUVAL & ASSOCIATES, INC.	promised a graph of the force of the state o
ADDRESS: 530 E. JOPPA ROAD.	tagenda a, perio, j. i dopino, p. a. poppi sala, propri natura popo kara, con p. j. jam. ja kalangarapi, maj
TOWSON, MARYLAND 21204	344
	MICROFILMED
	MIM BOY HE THORSE

AJ:ggs

(Revised 04/09/93)



Request for Zoning: Variance, Special Exception, or Special Hearing			
Date to be Posted: Anytime before but no later than  Format for Sign Printing, Black Letters on White Background:			
ZONING NOTICE			
Case No.:			
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD			
kannanan mananan manan			
PLACE:			
DATE AND TIME:			
REQUEST: DAMENCE TO PERMIT A BUILDING TO LOILING			
DISTANCE ( TROPA SETBACK) OF 12 FEET LA			
LIEWOT THE PEQUISED 30 FT. DISTURNES			
the solution of the solution o			
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.			
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW			
HANDICAPPED ACCESSIBLE			

9/96 post.4.doc TO: PUTUXENT PUBLISHING COMPANY
November 28, 1996 Issue - Jeffersonian

Please foward billing to:

W. Duvall & Associates, Inc. George M. McCubbin, Jr. 530 E. Joppa Road Towson, MD 21286 583-9571

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-217-A (Item 218)
6 Placid Woods Court
NW/S Placid Woods Court, 172' SW of c/l Placid Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Placid Woods, LLC

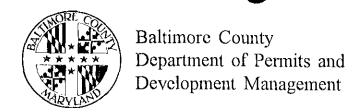
Variance to permit a building to lot line distance (rear setback) of 12 feet in lieu of the required 30 feet distance.

HEARING: TUESDAY, DECEMBER 17, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 21, 1996

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-217-A (Item 218)
6 Placid Woods Court
NW/S Placid Woods Court, 172' SW of c/l Placid Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Placid Woods, LLC

Variance to permit a building to lot line distance (rear setback) of 12 feet in lieu of the required 30 feet distance.

HEARING: TUESDAY, DECEMBER 17, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon Director

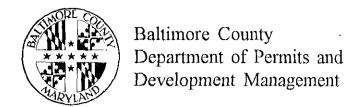
cc: Placid Woods, LLC

W. Duvall & Associates, Inc. Newton Williams, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 2, 1996.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean link on Recycled Paper



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

December 10, 1996

Newton A. Williams, Esquire Nolan. Plumhoff & Williams 502 Washington Avenue Suite 700 - Nottingham Center Towson, MD 21204

> RE: Item No.: 217

> > Case No.: 97-217-A

Petitioner: Placid Woods, LLC

Dear Mr. Williams:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 15, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

W. Cont Richard ) W. Carl Richards, Jr.

Zoning Supervisor

WCR/re Attachment(s)





David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County //-20-96 Item No. 2/7 ( ) 72 A)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

100

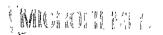
Ronald Burns, Chief Engineering Access Permits Division

P. J. Sedle

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free



BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

DATE: November 21, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 201, 205, 213, 214, 215, 216, and 217

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL

#### Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 11/26/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF NOV. 25. 1996.

Item No.: SEE BELOW

Zoning Agenda:

#### Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

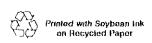
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:213,214,215,216,217.) 218 and 219.



REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office. PHONE 887-4881, MS-1102F

cc: File



#### BALTIMORE COUNTY, MARYLAND

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: 110.26,90

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date: 100.25

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: December 5, 1996

Department of Permits & Development

Management

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for December 2, 1996

Item Nos. 212, 213, 214, 215, 216,

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

RE:	PETII	LION F.C	OR VAR	LANCE			*		BEFORE '	THE	
6 P1	Lacid W	Voods (	Court,	NW/S I	Placid	Woods					
Cour	rt, 172	2'SW c	of $c/1$	Placio	d Avenu	ıe	*		ZONING	COMMIS	SIONER
9th	Electi	ion Dis	strict	, 6th (	Council	manic.					
							*		OF BALT	IMORE	COUNTY
Plac	cid Woo	ods, Ll	ıC								
	Pelit	tioner					*		CASE NO	. 97-2	217-A
*	*	*	*	*	*	*	*	*	*	*	*

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-Notice should be sent of any hearing dates or other captioned matter. proceedings in this matter and of the passage of any preliminary or final Order.

Peter Mars Zimmeiman.

People's Counsel for Baltimore County

Carole S. Demelio

CAROLE S. DEMILIO Deputy People's Counsel Room 47, Courthouse

400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16 day of December, 1996, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plumhoff and Williams, 502 Washington Avenue, Suite 700, Towson, MD 21286, attorney for Petitioner.

Peter May Zimmeman

Subdunon- Zo hels on-DA 3.5 Devel-Plan prodess approval Lot 18 undigre Lof. 1727 Almque is configuration Myon Homes-

All Comments

## W. DUVALL & ASSOCIATES, INC.

530 E. Joppa Rd. / Towson, Maryland 21286 / 410 583-9571 Engineers / Land Planning Consultants

	Date:	NOVEMBER 13,1996
TO: BUTIMURE COUNTY FORMIN		#6 PLACID WOODS COURT
	***************************************	ZUNING VARIANCE REQUEST
Attention: JOHN Sue YANTOER		PS 92109021.
☐ We are submitting ☐ We are forwarding ☐ We are returning ☐ We request	<b>□</b> Herewith	☐ Under Separate Cover
No.	Descrip	tion
• 3 Cofles of Profe • 1 - Zoo Scale Zoo • 1 Z Cofles of Post • 1 CHECK ( \$50.0 • 1 ADVERTISING )	Unic, HAP to Accordany	Eusing Virlabalce
☐ In accordance with your request☐ For your review☐ For processing☐ Plans reviewed and accepted☐ Plans reviewed and accepted☐ Plans reviewed and accepted☐ For revision by you		☐ For your use ☐ Please call when ready ☐ Please return to this office ☐ Approval requested ☐ Conference requested at your convenience
For further information, please contact the	writer at this office	
00.4%		Sincerely yours,
CC: file Enclosed G		Sincerely yours,
MICHO	HILMED, (	Steerge McCubbin

Case 97-217A:

#### PLEASE PRINT CLEARLY

#### PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Muston Williams	502 Wash. Ove. 21204
Deorge McCulbin	502 Wash. ave. 21204 5306, Joppe Rd. 21286.
or a 100-control to the control to the particular form the control to the control	
- The state of the	
THE PARTY OF THE P	
y - Production and the Production of the State of the Community of the State of the Community of the Communi	and the second s
	e Palariyah i Mili kaji ili dina kaji ili dina kaji kaji kaji kaji kaji kaji kaji kaj
A PERSONNEL PROMPTION CONTINUES CONT	
	of Principles and the State of
	All the second sections of the second section of the second section of the second section of the second section sectio

# ZONING NOTICE

Case # : 97217:A

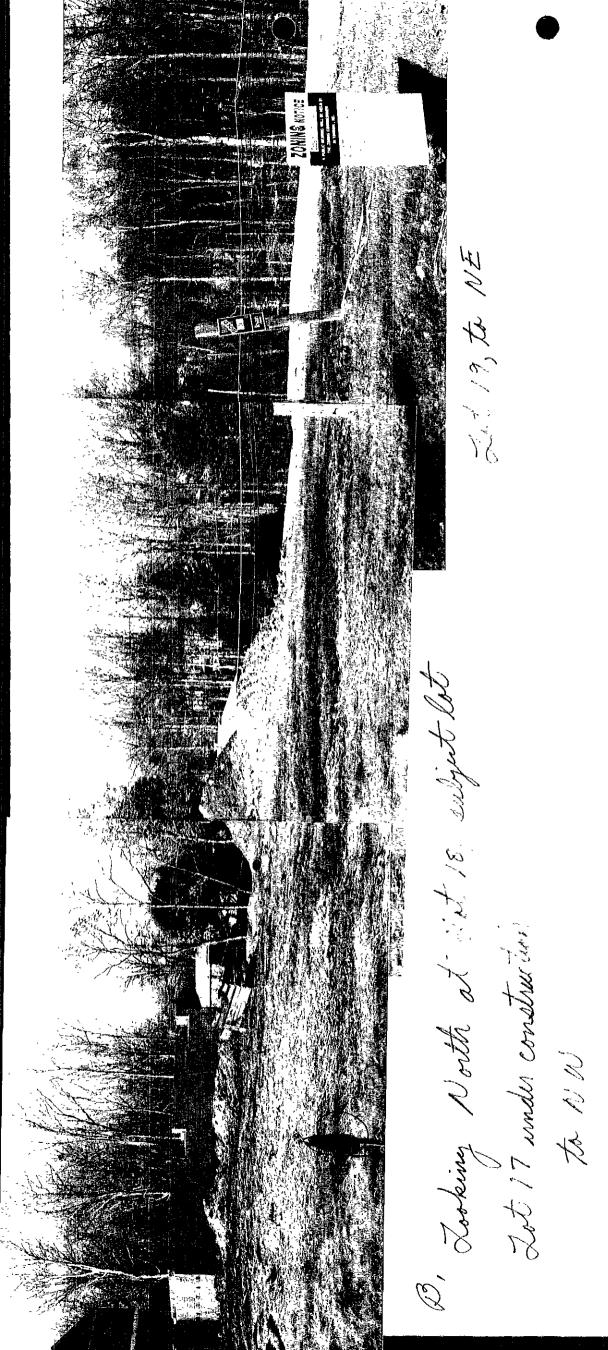
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER

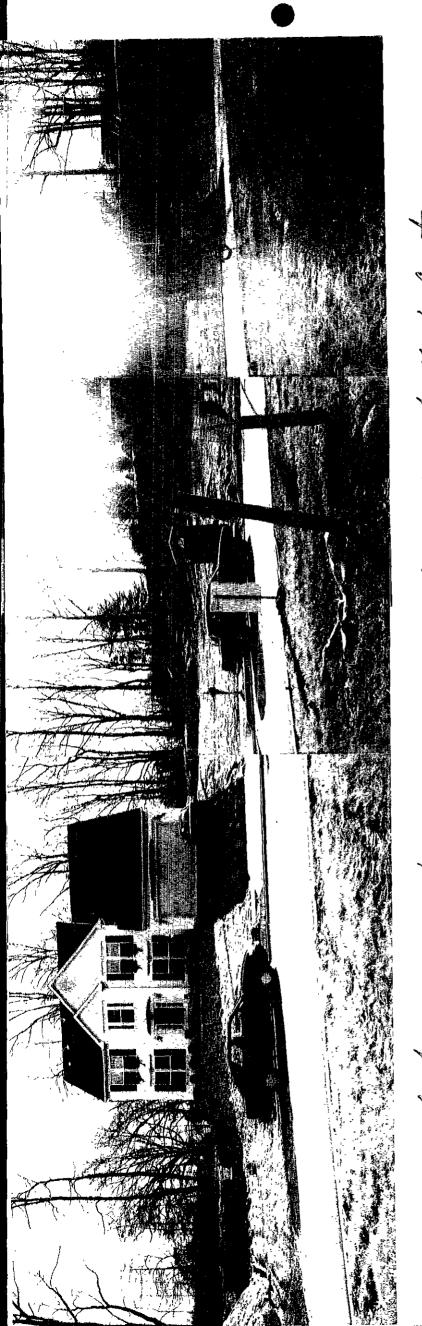
PLACE : ROOM 116 OLD COURTHOUSE TIME & DATE TOSEN SECREBES IT TO A TOOL OF

IN TELESTING ASSOCIATED ASSISTANCE IN A BUILDING FOR 55-75 TO 181 SACK

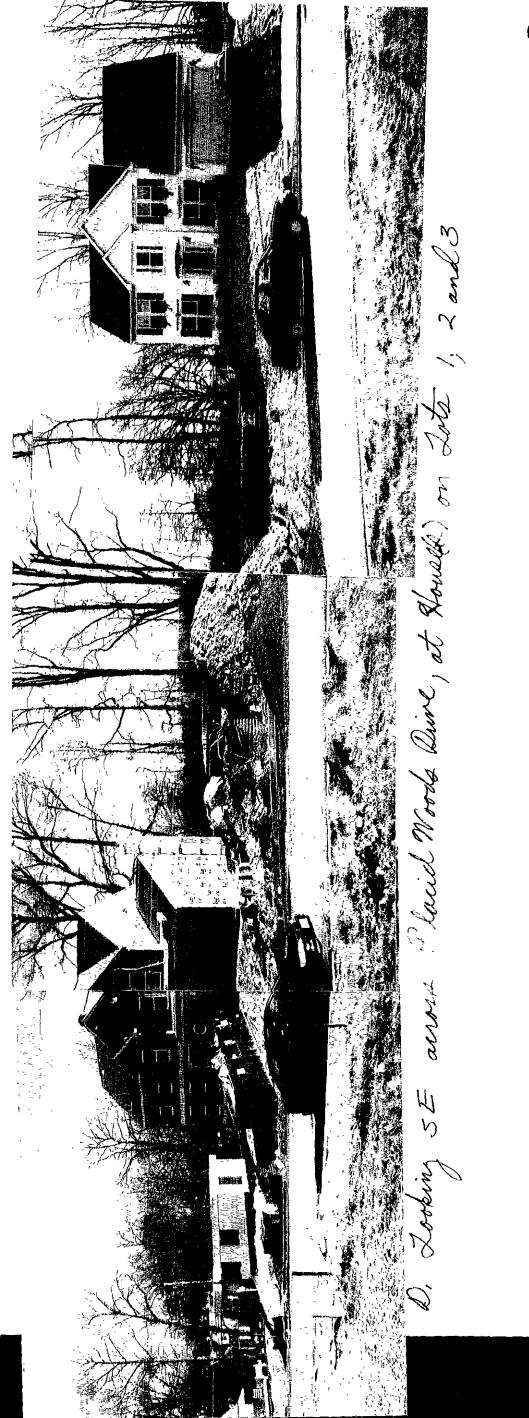
9 garing Light on Lat.

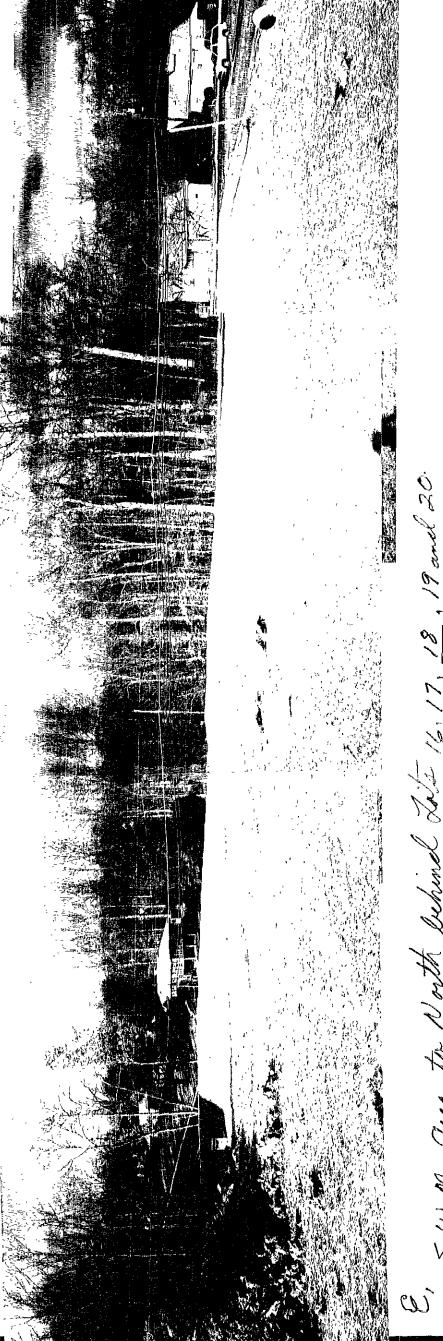
Alaid Mode.
97-217-A
December, 1994





C. Finished House on Lot 40 5 on South Lide of Plaid Woods Count.





E, 5 WM Ones to North behind 201 16,17, 18, 19 and 20.

